THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

–

W.A.No. 287 of 2006

Between:

Somala Veera Raju

…. Appellant

and

J. Ram Mohan Rao & others

…. Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

–

W.A.No. 287 of 2006

JUDGMENT: *(per the Hon'ble Sri Justice B. Prakash Rao)*

Heard the learned counsel on either side and at their request the main writ appeal itself is taken up for disposal at the stage of admission.

The appellant is the third party, who seeks to assail the order dated 31.10.2005 passed by the learned Single Judge allowing W.P.No.23390 of 2005, at the instance of the first respondent herein, wherein he sought to assail the impugned order dated 14.09.2005 cancelling the caste certificate issued in his favour.

Having heard the learned counsel on either side and having perused the material on record, it is seen that the learned Single Judge, by taking into consideration the fact that a regular appeal, as against such cancellation of caste certificate issued in favour of the petitioner, is pending, refrained from going into the merits of the matter. However, it was directed that the main appeal itself be disposed of at the earliest point of time.

Though several contentions are sought to be urged on behalf of both the parties, as rightly held by the learned Single Judge, it will be virtually a futile exercise of this Court to have any say on the pleas raised by both the sides. The matter in question is *sub judice,* since the regular appeal is pending before the competent authority, which can as well adjudicate the same after giving opportunity to both the parties.

In the circumstances, the writ appeal is disposed of, directing the appeal, which is pending before the Government, to be disposed of within one month from the date of receipt of a copy of this Order, duly giving opportunity to all the parties concerned. There shall be no order as to costs.

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(B.PRAKASH RAO.J)

(D. APPA RAO.J)

ksld

Dt.20.03.2006